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Separate paging is given to this Part in order that it may be filed as a separate compilation

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 23rd April, 1984:—

BILL No. VIII OF 1984

A Bill further to amend the Government of Union Territories Act, 1963.

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Government of Union Territories (Amendment) Act, 1984. Short title.

20 of 1963. 2. In section 3 of the Government of Union Territories Act, 1963 (hereinafter referred to as the principal Act), in sub-section (5), the following *Explanation* shall be inserted, namely:— Amendment of section 3.

'*Explanation.*—In this sub-section, the expression "population" means the population as ascertained at the last preceding census of which the relevant figures have been published:

Provided that the reference in this *Explanation* to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year 2000 have been published, be construed as a reference to the 1971 census.'.

Insertion of new section 43E.

3. In Part III of the principal Act, after section 43D, the following section shall be inserted and shall be deemed to have been inserted with effect from the 1st day of March, 1984, namely:—

Special provision as to readjustment of territorial constituencies.

'43E. Notwithstanding anything contained in sections 38 to 43D (both inclusive), until the relevant figures for the first census taken after the year 2000 have been published, it shall not be necessary to readjust the division of each Union territory into territorial constituencies and any reference to the "latest census figures" in this Part shall be construed as a reference to the 1971 census figures.'.

Validation.

4. Anything done or any action taken on or after the 1st day of March, 1984 and before the commencement of this Act for the purposes of elections to the Legislative Assembly of the Union territory of Mizoram shall be deemed to be, and to have always been, as validly and effectively done or taken as if the provisions of the principal Act as amended by section 3 had been in force at all material times.

STATEMENT OF OBJECTS AND REASONS

The Government of Union Territories Act, 1963, requires that for the purposes of elections to the Legislative Assembly of the Union territory of Goa, Daman and Diu, Pondicherry, Mizoram or Arunachal Pradesh, the Union territory shall be divided into single member constituencies in such manner that the population of each of the constituencies shall, as far as practicable, be the same throughout the Union territory. It also provides for delimitation of the constituencies, and for reservation of seats for the Scheduled Castes in the Legislative Assemblies of the Union territories of Goa, Daman and Diu and Pondicherry and for the Scheduled Tribes in the Legislative Assembly of the Union territory of Goa, Daman and Diu. The figures of 1981 census being available, it may be argued that it is necessary to delimit the constituencies for the purposes of elections to the Legislative Assemblies of these Union territories on the basis of the 1981 census. But as the process of delimitation of the constituencies is quite time consuming, and as the holding of elections to the Legislative Assemblies of some of the Union territories is urgently required in view of the expiration of the period of duration of the existing Legislative Assemblies, it is necessary that elections are held to the Legislative Assemblies of these Union territories on the basis of existing constituencies, and reservation of seats for Scheduled Castes and Scheduled Tribes determined after the 1971 census, on the lines of similar provisions in the Constitution of India relating to elections to Parliament and Legislative Assemblies in the States. It is proposed to amend the Act suitably for this purpose.

2. The period of duration of the existing Legislative Assembly of the Union territory of Mizoram is expiring in the month of May. The necessary notifications setting in motion the election process had therefore been issued already. As there is no reservation of seats either for the Scheduled Castes or for the Scheduled Tribes in the Legislative Assembly of Mizoram, the amendment providing for the conduct of elections on the basis of existing constituencies alone is proposed to be made retrospectively, and actions already taken for the purposes of elections to that Legislative Assembly are proposed to be validated.

3. The Bill seeks to achieve the above objects.

NEW DELHI;
The 18th April, 1984.

P. VENKATASUBBAIAH.

SUDARSHAN AGARWAL,
Secretary-General.

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